

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HASTINGS COLLEGE OF THE LAW, et
al.,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

Case No. 20-cv-03033-JST

**ORDER DENYING MOTION TO
RELATE WITHOUT PREJUDICE**

Re: ECF No. 81

Now before the Court is Defendant City and County of San Francisco's Administrative Motion to Consider Whether Cases Should Be Related Pursuant to Civil Local Rule 3-12. ECF No. 81. The motion seeks to relate two other cases to this one: *Daniel Giosso, James Giosso, and Richard Giosso, Trustees of the Giosso Children's Trust; Mike O'Neill and Sons, a California General Partnership*, 3:20-cv-04255-TSH ("Giosso"), filed on June 26, 2020; and *Erin Maher, Jason Reindorp, Nick Medina, Monica Calmer, South of Market Business Association, 570 Jessie LLC, Sierrec LLC dba Montesacro Pinserie Romana, Megali Souvla Inc, dbd Souvla, Design like Whoa LLC v. City and County of San Francisco*, 4:20-cv-04771-KAW ("Maher"), filed on July 16, 2020.

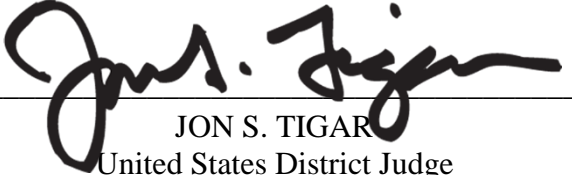
Civil Local Rule 3-12(b) provides that a party filing a motion to relate must serve a copy of the motion "on all known parties to each apparently related action." Civ. L.R. 3-12(b). The docket does not show that Defendant City and County of San Francisco complied with this requirement. The City has not filed a certificate of service, and although the declaration of Deputy City Attorney Ryan Stevens states that he spoke to counsel for plaintiffs in the two potentially related actions regarding potential relation, it does not state that he served a copy of the City's

1 motion upon them. *See* ECF No. 81-1 ¶¶ 5-6.

2 Accordingly, the motion is denied is denied without prejudice.

3 **IT IS SO ORDERED.**

4 Dated: August 5, 2020

5 
6 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California